

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
vs.) Case No. 22 CR 30024-SPM-01
)
)
STEVEN DORFMAN,)
)
)
Defendant.)

NOTICE OF VICTIM ALLOCUTION AT SENTENCING

The United States of America, by and through its attorneys, Rachelle Aud Crowe, United States Attorney for the Southern District of Illinois, and Scott A. Verseman, Assistant United States Attorney for the Southern District of Illinois, hereby submits the following Notice of Victim Allocution at Sentencing:

1. The United States hereby provides notice to the Court and the defense that certain victims have indicated that they wish to make statements to the Court during the sentencing hearing in this case. Those victims are S.B. and C.J.¹
2. The United States further provides notice that the following victims have indicated that they may make statements to the Court at sentencing, but have not yet made a final decision on whether they will speak: J.C.; T.C.; C.E.; G.E.; P.G.; J.H.; and R.P.²
3. Title 18, United States Code, Section 3771(a)(4) provides that crime victims have “[t]he right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole processing.” In *United States v. Issa*, 21 F.4th 504, 508 (7th Cir. 2021), the Seventh Circuit stated: “The district court did precisely the right thing in accepting the written and oral submissions of the victims personally and

¹ Both S.B. and C.J. testified at the trial in this case.

² With the exception of C.E., all of these victims testified at trial. C.E. is the wife of G.E.

through their lawyer and acted within its discretion in considering and weighing those submissions.” *See also United States v. Modugumudi*, 2023 WL 3451666 (7th Cir. 2023) at *3 (“As for the victims, they had a right to be heard, and it was up to the district court to determine how to weigh their accounts.”)

4. Section 3771(a)(4) has been interpreted as giving victims a right to allocution at sentencing hearings. *See United States v. Vampire Nation*, 451 F.2d 189, 197, n.4 (3d Cir. 2006)(“The right of victims to be heard is guaranteed by the Crime Victims’ Rights Act. . . . The right is in the nature of an independent right of allocution at sentencing.”); *United States v. Shrader*, 2010 WL 4781625 (S.D. W.Va. 2010), at 3 (“It is apparent that a victim has the right to speak at sentencing about the impact a defendant’s criminal conduct has had upon her without being placed under oath and cross examined just as a defendant has the right to allocute in mitigation of sentence.”)

5. The United States does not intend to call any witnesses at the sentencing hearing.

6. The United States does not expect that the victim allocutions will cause the sentencing hearing to be substantially lengthened. The United States does not expect that the hearing will exceed two hours.

Respectfully submitted,

s/ Scott A. Verseman

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Certificate of Service

I hereby certify that on July 18, 2024, I caused to be electronically filed the foregoing “Notice of Victim Allocution at Sentencing” to be filed with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to all attorneys of record.

Respectfully submitted,

s/ Scott A. Verseman

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